

REMARKS:

This Amendment and Response is responsive to the Final Official Action dated January 16, 2007 and the Advisory Action dated April 5, 2007 for at least the reasons set forth herein.

At the onset, Applicants note that Claim 18 has been amended herewith. The claim has been amended to expressly recite that the tubular member has a bellows portion **between said first and second ends adapted for three dimensional movement** to adjust relative positions of the first and second ends and **to maintain the airtight seal of the inner space in response to relative movements (Emphasis Added)**. Additionally, the claim has been amended to add an adjustment mechanism and define the three dimensions of movement. Additionally, Applicants note that Claim 21 has been cancelled herewith and that Claims 22 and 23 have been amended to change the dependency.

No new matter has been added to the application by way of the aforementioned amendment. For example, Applicants direct the Examiner's attention to Figures 2 and 4, and the description at pages 12-15. Applicants note that the identified sections are only examples and not an exhaustive list.

Applicants submit that the claims are patentably distinct from the cited references: Takahashi, Ebling and MacKinnon.

Specifically, none of the cited references teach or suggest an adjustment mechanism for adjusting relative positions of the optical system support member and the imaging element support member in three dimensions.

Takahashi teaches that an adjustment can be made in the optical direction, but not in any other direction, i.e., no adjustment in three dimensions.

Takamura and Ebling also fail to disclose three-dimensional movement. Ebling only discloses that the bellows portion pushes or pulls a sleeve, i.e., movement in one direction.

In contrast, the claimed invention includes an adjustment mechanism that allows for three-dimensional movement, e.g., in the expanding and contracting direction, **decentering direction, and a tilt direction.** The relative positions of the optical and imaging systems can be adjusted. The claimed invention can be adjusted, for example, using the axial direction adjustment spacer and the orthogonal direction adjustment screws.

Therefore, none of the cited references disclose the claimed adjustment mechanism.

Additionally, none of the references disclose that the bellows portion is adapted for three-dimensional movement and to maintain the airtight seal of the inner space in response to relative movements of the optical system support member and the imaging element support member and that the bellows portion between the first and second ends.

In Takahashi, Figure 10 depicts a tubular member surrounding the optical system. The optical system is fixed to the tubular member. However, the imaging system (2a and 2b) is not attached to the tubular member. Figure 10 does not depict any structure that either is capable of keeping airtightness or a bellows portion between the first and second end. Figure 10 clearly illustrates that the imaging section and the optical section are not connected. The tubular member, therefore, does not airtightly join the imaging system with the optical system. Figure 10 also does not depict that the tubular member allows for relative movement in a plurality of directions. Additionally, there is no suggestion to connect the optical system with the imaging system using a tubular member.

Moreover, the imaging system would not move if the tubular member moves since the imaging elements are not fixed to the tubular member.

Ebling fails to cure these deficiencies. Although Ebling teaches a bellows portions, the bellows portion is not between the first and second ends of the tubular member which connects the optical and imaging support members or that the bellows portion is adapted to maintain the airtight seal. The bellows portion in Ebling is fundamentally different from the claimed invention.

Ebling describes an endoscope having an eyepiece end 16 connected to a fiber optic image bundle 14. The eyepiece appears to be directly connected to the fiber optic image bundle. The image bundle is insertable into a separate sterile sleeve such that the fiber need not be sterilized prior to use. The image bundle in the sleeve forms a winder proximate to the distal end of the sleeve to facilitate viewing through the fiber optic bundle. The purpose of the bellows portion is to urge the fiber optic image bundle into abutment with the window to facilitate alignment of the distal end of the bundle with the window. *See Abstract.*

Ebling states that the bellows 60 is positioned near the proximal end of the sleeve 24 and is stretched slightly so as to apply a contractile force which urges or pulls the sleeve 24 proximally, so as to maintain the distal end of the fiber optic image bundle 14 in abutment or intimate contact with the window 38 formed at the distal tip of the sleeve 24. The bellows 60 may be located at various different locations relative to or along the sleeve 24. *See Col. 8, lines 5-17. See also, lines 18-30.*

Clearly, the bellows portion is not located between the first and second end of the tubular member to which that optical and imaging support members are attached.

In contrast, Figure 2 of the instant application illustrates that the bellows portion is located between the optical unit 14 and the imaging unit 12 (between the first and second ends). Additionally, the bellows portion in Ebling does not maintain the airtight seal in response to

relative movements of the optical system support member and the imaging system support member.

The claimed invention has a significant advantage over the prior art combination. The claimed invention makes it possible to change the positional relationship between the imaging optical unit 14 and the imaging element unit 12. In other words, since the imaging unit is coupled with the optical unit through the tube member with a bellows portion that is adapted to deform in all directions, it is possible to change the relationship between the optical unit and the imaging unit in a state in which the endoscope connecting mechanical unit integrated with the optical unit is connected and fixed to the eye contact portion. The bellows portion both maintains an airtight seal and allows for relative motion in the optical axis, direction of de-centering, and tilt directions. Mackinnon fails to cure any of the above-identified deficiencies.

Therefore, Claim 18 is patentable over Takahashi, Ebling and MacKinnon. Claims 19, 20 and 22-35 patentably distinct from the cited references at least based upon the reasons set forth above in view of their dependency, whether directly or indirectly, from independent Claim 18.

Based upon the foregoing, Applicants respectfully request that the Examiner withdraw the rejections of Claims 18-20, 22-35 pursuant to 35 U.S.C. § 103 (a).

In conclusion, the Applicants believe that the above-identified application is in condition for allowance and henceforth respectfully solicits the Examiner to allow the application. If the Examiner believes a telephone conference might expedite the allowance of this application, the

Applicants respectfully request that the Examiner call the undersigned, Applicants' attorney, at the following telephone number: (516) 742-4343.

Respectfully submitted,



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